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CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

NOE ARIAS-ORDONEZ,

Defendant.

No. CR 07-0738 MMC

UNITED STATES' NOTICE OF
APPEAL

Pursuant to 18 U.S.C. § 3731, the United States hereby appeals to the United States Court of Appeals for the Ninth Circuit the oral order of the district court issued May 28, 2008, dismissing the indictment in the above-captioned case.

DATED: June 3, 2008

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

OWEN P. MARTIKAN
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee of the office of the United States Attorney, Northern District of California, is a person over 18 years of age and discretion to be competent to serve papers, and is not a party of the within action.. The undersigned certifies that she caused a copy of

UNITED STATES' NOTICE OF APPEAL

in the case of **UNITED STATES v. NOE ARIAS-ORDONEZ**, CR 07-0738 MMC to be served on the party or parties in this action, by placing a true copy thereof in a sealed envelope, addressed as follows which is the last known address:

**Elizabeth Falk, AFPD
Federal Public Defender's Office
450 Golden Gate Avenue, 19th Floor
San Francisco, CA 94102**

☒ (By Personal Service), I caused such envelope to be delivered by hand to the person or offices of each addressee(s) above.

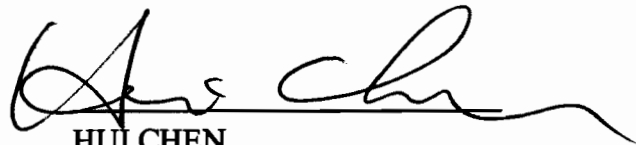
☐ (By Facsimile), I caused each such document to be sent by Facsimile to the person or offices of each addressee(s) above.

☐ (By USPS Regular Mail), I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at San Francisco, California.

☐ (By Fed Ex), I caused each such envelope to be delivered by FED EX to the address listed above.

I declare under penalty of perjury that the foregoing is true and correct, and executed in San Francisco, California.

Dated: June 4, 2008



HUI CHEN

United States Attorney's Office